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SUBJECT: GOLDSTONE REPORT POST-PARTUM: IT'S ONLY JUST BEGUN
IN NEW YORK

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Classified By: Ambassador Alex D. Wolff for reasons 1.4 (b) and (d).

¶1. (C) Repercussions from successful efforts in Geneva to postpone the HRC's discussion of the Goldstone report have resulted in the movement of the report to New York. While the Security Council did not accede to Libya's October 6 request for a stand-alone Council meeting on the Goldstone report (see reftel), Libya, the Palestinian Observer Mission, and the Arab Group will do their utmost to ensure that a majority of member states focus their remarks at the Middle East Open Debate on October 14 exclusively on the Goldstone report. In order to have the Security Council appear engaged with the Goldstone report, the Libyan Perm Rep sent an October 7 letter to the Security Council President (Vietnam) asking that the Goldstone report be circulated as an official document of the Security Council, which was done. The Libyan mission also submitted a request to the Security Council President that the UN High Commissioner for Human Rights brief the Security Council at the October 14 Open Debate, in addition to the regular Secretariat briefing. USUN strongly pressed the Security Council President to refuse this request (and not circulate it to the rest of the Council) since it would be a breach of the understanding brokered in the Council during its October 7 consultations. The Vietnamese are still discussing the request with the Libyans. We are also working with others in the Council to oppose this request.

¶2. (C) The Palestinian Observer Mission has taken full ownership of efforts to have UN organs in New York focus on the Goldstone report. Palestinian Observer Ambassador Mansour spoke at length during the press stakeout outside the Security Council on October 7. We understand that the Palestinian Foreign Minister will participate in the Council's Open Debate on October 14 and will encourage a majority of non-Security Council member states to call for the Council to take action on the Goldstone report, notwithstanding the Human Rights Council's (HRC) deferred discussion in Geneva. While a majority of Council members clearly stated in consultations on October 7 that the focus of action should continue to be in Geneva, they did not preclude the Security Council taking up the matter after the HRC completes its deliberations. Eventually, we will likely find ourselves on opposite sides of this issue from allies and friends. This could be in March or well before then. (Rumors of the convening of a Special Session of the HRC in Geneva could accelerate this timeline further.) While the Libyan mission claims that it does not seek a product from the October 14 Open Debate, we assume that they or others eventually will seek a Council product. No product can emerge from the Security Council without U.S. acquiescence. However, this is not the case in the General Assembly.

¶3. (C) President of the General Assembly (PGA) Treki, a Libyan national, will support having the General Assembly (GA) plenary take up the Goldstone report. Since the GA is the supervisory body of the HRC, it could exert jurisdiction

on the subject if a majority of member states believe the HRC is not properly addressing the report or if there is impasse in the Security Council. (Note: The GA last focused on Gaza, January 15-16, 2009, in an emergency special session of the General Assembly to deal with the Gaza conflict under the following agenda item: "Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory." It began its consideration while the Security Council was addressing the Gaza conflict down the hall. End comment.) Unlike in the Security Council where the United States wields the veto, the General Assembly can easily approve a product, although its ability to adopt measures binding on member states is more limited. USUN will continue to track efforts to further broaden discussion of the Goldstone report in New York.

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